

PATRICIA HOUSTON and
CARL HOUSTON,

Plaintiff

V.

SEARS HOLDING MANAGEMENT
CORPORATION and
K MART CORPORATION,

Defendants

No. 3:10-0473
Judge Nixon/Brown
Jury Demand

O R D E R

A telephone conference was held with the parties in this matter on February 7, 2011, to discuss scheduling problem. Mr. Houston died unexpectedly and Plaintiff's counsel is working to see whether there will be a substitution for his claims in this matter. Mrs. Houston has moved to a nursing home and has someone appointed to handle some of her business affairs. She is, however, able to now give a deposition.

Because of these unexpected problems, the current scheduling order (Docket Entries 9 and 17) require modification. Accordingly, all discovery shall be completed by **May 31, 2011**. The Plaintiff will make any necessary expert witness disclosures by **April 1, 2011**. The Defendants will submit their expert disclosure reports by **April 29, 2011**.

Dispositive motions will be due **June 30, 2011**. Responses thereto will be due **28 days** thereafter, and replies, if any, limited to **five pages**, will be due **14 days** after any response.

After discussion with Judge Nixon's chambers, the final pretrial conference is rescheduled for **November 18, 2011, at 10:00 a.m.** The trial will begin on **November 29, 2011, at 9:00 a.m.**

The parties advised that they have conducted some limited settlement discussions. The parties are further advised that should they believe the Magistrate Judge can assist with alternative dispute resolution, they should contact his chambers to schedule a settlement conference.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge